



U.S. Department of Justice

United States Attorney
Southern District of New York

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The Silvio J. Mollo Building
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DATE FILED FEB 26 2008

February 25, 2008

BY FACSIMILE

Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Rc: United States v. Victor Chani et al.
S11 05 Cr. 523 (LTS)

Dear Judge Swain:

As Your Honor is aware, the final pre-trial conference in this matter is scheduled for next Tuesday, March 4, 2008, at 11 a.m. Based on Your Honor's rules, all pre-trial submissions are due tomorrow, one week prior to the conference. The Government sent its draft Request to Charge document to counsel last Thursday with instructions for any objections and amendments be provided to the Government by today, but has thus far only received a response from Stephen Seeger, Esq., counsel for Ahmed Choullam. In addition, the Government has begun drafting its motions *in limine*, but at least one of these motions would be obviated entirely if one or more of the remaining defendants were to plead guilty prior to trial. As Your Honor is aware, a potential plea for one of the defendants was scheduled for earlier today but was adjourned until Wednesday because the defendant (and his lawyer) were ill. Accordingly, the Government respectfully requests that it be permitted to make all its pre-trial submissions no later than Thursday, February 28, 2008. This additional time will allow the Government to file a complete Joint Requests to Charge and, depending on the potential resolution for at least one of the defendants, file no more motions *in limine* than necessary.

The request is granted. Opposition to motion in limine shall be filed and served (with a courtesy copy for chambers) so as to be received by 4:00pm on Monday 3/3/08. Reply papers shall be filed and served (with a courtesy copy for chambers) so as to be received by 4:00pm on Tuesday 3/4/08.

SO ORDERED.

2/25/08

cc: defense counsel

Respectfully submitted,

MICHAEL J. GARCIA
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Southern District of New York

By:

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LAURA TAYLOR SWAIN U.S.D.J.

Copies mailed to counsel/review
Chambers of Judge Swain
2/25/08